

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DOMINGO COLON MONTAÑEZ and
TIMOTHY A. HALE,

Plaintiffs,

v.

JEFFREY A. BEARD, Ph.D., Secretary &
Commissioner of the Pennsylvania
Department of Corrections, SCI-ROCKVIEW
INMATE ACCOUNTING SUPERINTENDENT
F. J. TENNIS, FRANCIS M. DOUGHERTY,
EARL E. WALKER, RAYMOND CINGEL, and
PENNSYLVANIA DOC,

Defendants.

CIVIL ACTION NO. 4:CV-04-2569

(JUDGE CAPUTO)

(MAGISTRATE JUDGE MANNION)¹

ORDER

NOW, this 22nd day of January, 2013, IT IS HEREBY ORDERED that:

- (1) The Report and Recommendation (Doc. 265) is **ADOPTED in its entirety**.
- (2) Defendants' Motion for Summary Judgment (Doc. 194) is **GRANTED**.
- (3) Plaintiff Timothy A. Hale's Motion for Summary Judgment (Doc. 199) is **DENIED**.
- (4) Plaintiff Domingo Colon Montañez's Motion for Summary Judgment (Doc. 200) is **DENIED**.
- (5) Plaintiff Montañez's Motion for Injunctive Relief (Doc. 238) is **DENIED**.
- (6) The Clerk of Court is directed to **ENTER** judgment in favor of Defendants and against Plaintiffs.
- (7) The Clerk of Court is directed to mark the case as **CLOSED**.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge

¹ The caption reflects Judge Mannion's office as a Magistrate Judge when he issued the Report and Recommendation here under review. He has since become a United States District Judge.